

ORIGINAL

*Stef
Clerk*

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK

GARDEN CITY BOXING CLUB, INC.,
as Broadcast Licensee of the **November 27, 2004**
Barerra/Morales, Program,

Plaintiff,

-against-

RAFAEL PEREZ, Individually, and as d/b/a EL
VITALINA RESTAURANT a/k/a VITALINA
RESTAURANT, and EL VITALINA
RESTAURANT a/k/a VITALINA RESTAURANT,

Defendants.

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.

★ JAN 04 2006 ★

BROOKLYN OFFICE

DEFAULT JUDGMENT

Civil Action No. CV-05-3713-FB-CLP
Honorable Frederic Block

The Summons and Complaint in this action having been duly served upon the
Defendants, **RAFAEL PEREZ, Individually, and as d/b/a EL VITALINA RESTAURANT**
a/k/a VITALINA RESTAURANT, and EL VITALINA RESTAURANT a/k/a VITALINA
RESTAURANT, on August 20, 2005, and said Defendants having failed to plead or otherwise
appear in this action,

NOW, on motion of **JULIE COHEN LONSTEIN**, of counsel to **LONSTEIN LAW**
OFFICE P.C., attorneys for the Plaintiff, it is hereby

ORDERED, ADJUDGED AND DECREED that Defendant, any of his servants,
employees, agents, persons acting in concert with him or acting on his behalf are hereby
permanently enjoined and restrained from engaging in the unauthorized reception and
interception, whether by air or cable, of Plaintiff's programming, signals or services, or in aiding
and abetting any such acts, and are hereby permanently enjoined and restrained from connecting
to, attaching, splicing into, tampering with or in any way using Plaintiff's cable wiring without
Plaintiff's authorization, and are hereby permanently enjoined and restrained from
manufacturing, selling, purchasing, obtaining, using, or possessing any device or equipment
capable of unscrambling, intercepting, receiving, decoding, transmitting, providing, or making
available all or part of Plaintiff's programming or services without Plaintiff's express
authorization, it is further,

THIS IS REFERED TO MY POLAK TO

ORDERED AND ADJUDGED that ~~Garden City Boxing Club, Inc., the Plaintiff, does~~
recover jointly and severally of ~~RAFAEL PEREZ, Individually,~~
~~How A REQUEST OF HEARING TO DETERMINE DAMAGES AND~~
1) ~~under 605(e)(3)(C)(i)(II) in the sum of TEN THOUSAND DOLLARS COUNSEL FEES~~
~~(\$10,000.00)~~ And prepare a report
2) ~~and under 605(e)(3)(C)(ii) a sum of ONE HUNDRED THOUSAND DOLLARS~~ And
~~(\$100,000.00) for enhanced damages for Defendant's willful violation of 605(a)~~ RECOMMENDATION
3) ~~and under 605(e)(3)(B)(iii) costs and Attorney fees of SEVEN HUNDRED~~
~~TWENTY FIVE DOLLARS (\$725.00)~~

and it is further

ORDERED AND ADJUDGED that ~~Garden City Boxing Club, Inc., the Plaintiff, does~~
recover jointly and severally of ~~EL VITALINA RESTAURANT a/k/a VITALINA~~
~~RESTAURANT,~~

- 1) ~~under 605(e)(3)(C)(i)(II) in the sum of TEN THOUSAND DOLLARS~~
~~(\$10,000.00)~~
- 2) ~~and under 605(e)(3)(C)(ii) a sum of ONE HUNDRED THOUSAND DOLLARS~~
~~(\$100,000.00) for increased damages for Defendant's willful violation of 605(a)~~
- 3) ~~and under 605(e)(3)(B)(iii) costs and Attorney fees of SEVEN HUNDRED~~
~~TWENTY FIVE DOLLARS (\$725.00)~~

~~and it is further~~

ORDERED AND ADJUDGED that pursuant to Rule 54(b) of the Federal Rules of Civil
Procedure, there is no just reason for delay in this Default Judgment as the interest of justice
require the issuance of judgment as requested without further delay.

Dated: 16, 2005

HONORABLE FREDERIC BLOCK
United States District Judge